



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

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Results of Brief Enforcement Hearings – November 26, 2007

2006 William Sherman Campaign: William Sherman was a first-time candidate seeking the office of State Representative in the 43rd Legislative District in the 2006 primary election. Mr. Sherman was defeated in a 6-person contested 2006 primary election.

PDC Case No: 07-067

Results: The Presiding Officer found that the 2006 William Sherman Campaign violated RCW 42.17.640 on five occasions by accepting \$2,900 in contributions from five contributors in excess of the \$700 primary election limit. The 2006 William Sherman Campaign spent the \$2,900 in general election contributions to retire 2006 primary election debts and obligations. After the complaint had been filed, Mr. Sherman contributed personal funds to refund those general election contributions that had exceeded limits.

Assessed Penalty: A \$500 penalty was assessed by the Presiding Officer against the 2006 William Sherman Campaign, of which \$350 is suspended on the condition that no further violations of RCW 42.17 are committed through the end of calendar year 2008.

Citizens Yes for Fire & EMS: Citizens Yes for Fire & EMS is a political committee that was formed to support two ballot measures for the February 6, 2007 special election for Jefferson County Fire Protection District #3. The committee filed a Committee Registration Statement (PDC Form C-1pc) on December 28, 2006, and selected the mini reporting option, which limited the amount of contributions received and expenditures made to \$3,500, and prohibited the committee from receiving more than \$300 in contributions in the aggregate from any one source.

PDC Case No: 07-072

Results: The Presiding Officer found that the Citizens Yes for Fire & EMS violated: 1) RCW 42.17.040 by failing to timely file an amended C-1pc changing to the full reporting option; 2) RCW 42.17.080 and .090 by failing to timely file Monetary Contribution Reports (PDC Form C-3) and Summary Contribution and Expenditure Reports (PDC Form C-4), under the full reporting option; and 3) WAC 390-16-125 by exceeding the mini reporting limits, and assess an appropriate penalty.

The Citizens Yes for Fire & EMS received a \$1,500 contribution from the Jefferson County firefighters union (IAFF Local 3811) on December 20, 2006, which exceeded the mini reporting threshold and required the committee to change to the full reporting option as of that date.

Assessed Penalty: The Presiding Officer assessed a \$150 penalty against the Citizens Yes for Fire & EMS, of which \$75 is suspended on the condition that no further violations of RCW 42.17 are committed through the end of calendar year 2009.

2005 John Kane Campaign: John Kane was a candidate seeking election to the office of Port Commissioner for the Port of Seattle in 2005. Mr. Kane was defeated in the 2005 primary election.

PDC Case No: 07-098

Results: The Presiding Officer found that the 2005 John Kane Campaign violated RCW 42.17.080 & .090 on three occasions by failing to timely file Summary Reports of Contributions and Expenditures (PDC Form C-4) for the 7-day pre-primary C-4 report, the 2005 post-election C-4 report and a 2005 post-election Monetary Contributions Report (PDC Form C-3). The 2005 John Kane Campaign filed a C-4 report on May 24, 2007, covering the period of August 24, 2005 to February 13, 2006, disclosing the campaign received \$10,410 in contributions and made \$15,051.39 in expenditures. The contribution and expenditure information was disclosed 440 to 618 days late.

Assessed Penalty: The Presiding Officer assessed a \$200 penalty against the 2005 John Kane Campaign, of which \$100 is suspended on the condition that no further violations of RCW 42.17 are committed through the end of calendar year 2009.

Eugene "Gene" Dana: Eugene Dana is the incumbent Kittitas County Sheriff, serving his third term of office. Sheriff Dana was a candidate seeking re-election to Kittitas County Sheriff in 2006.

PDC Case No: 07-033

Results: The Presiding Officer found that Sheriff Dana committed a single violation of RCW 42.17.130 when he sent an internal e-mail to employees of the Kittitas County Sheriff's Office that included an announcement of his intention to seek re-election as Sheriff in 2006. The e-mail from Sheriff Dana also highlighted recent accomplishments of the Kittitas County Sheriff's office that had occurred during his tenure as Sheriff and outlined goals for the future. The e-mail did not discuss Sheriff Dana's campaign nor did it ask for support of his re-election effort.

Assessed Penalty: The Presiding Officer assessed a \$100 penalty against Sheriff Dana, of which \$75 is suspended on the condition that no further violations of RCW 42.17 are committed through the end of calendar year 2009.

2005 & 2009 Robert Ferguson Campaigns: Robert W. Ferguson was first elected to the King County Council in the November 4, 2003 general election. Mr. Ferguson sought re-election to the King County Council in 2005 and was re-elected, after a King County Charter Amendment was approved by the voters reducing the number of King County Council members from thirteen to nine. Mr. Ferguson is seeking re-election to the King County Council in 2009.

PDC Case No: 08-060

Results: The Presiding Officer found that the 2005 & 2009 Robert Ferguson Campaigns violated RCW 42.17.080 & .090 on multiple occasions by failing to timely file Summary Reports of Contributions and Expenditures (PDC Form C-4) for 2005 and 2009 campaigns, and 11 Monetary Contributions Reports (PDC Form C-3) totaling \$18,455 for the 2009 campaign. The initial C-4 report for the 2009 Robert Ferguson Campaign covered the period of May 13, 2006 to April 30, 2007, and was due on June 10, 2006. The C-4 was filed on June 1, 2007, 356 days late and disclosed \$18,080 in contributions and \$11,316.07 in expenditures.

Assessed Penalty: The Presiding Officer assessed a \$500 penalty against the 2005 & 2009 Robert Ferguson Campaigns, of which \$300 is suspended on the condition that no further violations of RCW 42.17 are committed through the end of calendar year 2009.